

R E M A R K S

A. REQUEST FOR CONTINUED EXAMINATION (RCE)

This paper is being filed in response to a Final Office Action mailed March 3, 2006. A Request for Continued Examination (RCE), along with the appropriate fee, is being filed concurrently to ensure consideration of these remarks.

B. SECTION 103(A) REJECTIONS

Claims 1-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Montangero and Walker, and in view of various other references.

We respectfully traverse the Examiner's Section 103(a) rejection. We do not believe the Examiner has provided a motivation to modify Montangero in light of any teachings of Walker. We also do not agree that the asserted combination would teach all of the features of any claim.

Although we do not agree with the Examiner's rejections, we have amended independent Claims 1 and 15 without prejudice in order to expedite allowance of the present application and to direct the claims to desirable embodiments. No combination of cited references teaches or suggests that it would have been obvious to provide for the following combination of features:

determining an upsell offer based on at least one of the random outcomes and based on at least one of the product identifiers; and

making the upsell offer,

in which making the upsell offer comprises:

displaying an image that represents the upsell offer as an indicia on a virtual slot machine reel.

The Examiner asserts that it would have been obvious to provide for an image of a product on a virtual slot machine reel in light of an asserted combination of Montangero, Walker, Burke, and Cohen. We do not agree. Although the Examiner asserts that slot machines and images of products were known, there is no evidence of the desirability of displaying an image of a product or indication of an upsell offer on a virtual slot machine reel. Further, no combination of the cited references would provide for all of the above-specified features.

Accordingly, we respectfully request the Examiner's reconsideration of Claims 1-10 and 13-15.

C. NEW CLAIMS 16-21

New Claims 16-21 depend from independent Claim 1 and are believed to be patentable for at least the reasons stated above. We request consideration and allowance of new Claims 16-21.

D. ADDITIONAL COMMENTS

Our silence with respect to the Examiner's other various assertions not explicitly addressed in this paper, including assertions of what the cited reference(s) teach or suggest, or the Examiner's interpretation of claimed subject matter, is not to be understood as agreement with the Examiner. As the Examiner has not established an unrebuttable prima facie case of obviousness for any of the pending claims, for the reasons stated in this paper, we need not address the Examiner's other assertions at this time.

E. PETITION FOR EXTENSION OF TIME TO RESPOND & AUTHORIZATION TO CHARGE APPROPRIATE FEES

We understand that a three-month extension of time to respond to the Office Action is necessary. Please grant a petition for any extension of time required to make this Response timely.

Charge: \$1020.00

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Please charge any appropriate fees set forth in §§ 1.16 – 1.18 for this paper and for any accompanying papers to Deposit Account 50-0271. Please credit any overpayment to the same account.

F. CONCLUSION

It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

September 4, 2006
Date

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